

FREDERICK COUNTY LIQUOR BOARD
Public Meeting Minutes
Monday, May 9, 2011

Those Present: Mr. James E. McClellan, Chairman
Mr. Robert C. Snyder, Board Member
Mr. Charles R. Cline, Board Member
Mr. Richard McCain, Assistant County Attorney
Ms. Kathy L. Vahle, Administrator
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector
Mrs. Sandra Rees, Administrative Specialist IV
Mrs. Ashley Sklarew, Administrative Specialist IV

A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 8:00 am by Chairman McClellan.

1. **Volt Restaurant** – Ms. Vahle received a request from this establishment to use their side courtyard for a special luncheon on June 9, 2011. This is not a part of their approved area. The Board approved as long as it meets with the regulations. The Inspector will follow up.
2. **Roast House Pub** – This establishment originally requested to open by May 23, 2011 they are now requesting an extension until June 23, 2011 because they accidentally wrote the wrong target date down. The Board approved this request.
3. **The Main Cup** – Ms. Vahle stated she received a request to put a pass through from the bar into the hallway so that they can better serve customers. They are making a hole through the wall and the contractor said it could be done in one day and they will be closed for one day. The Board approved this request.
4. **Maryland Ensemble Theatre** – Ms. Vahle stated she received a request for an actor to come on stage with tassels and a thong during a production of Clockwork Orange. The regulations say that the license can be revoked if there is any nudity, with specific definition as to what constitutes nudity. The Board did not approve.
5. **Wine Festival/Farmers Market** – Kevin Atticks from the Winery Association will discuss with the Board having a festival at the

Carroll Creek Park and does not want any fencing as the public will be walking through the park.

6. **Orioles Club** – Mr. Snyder asked if the club had revived their Charter. Ms. Vahle said they paid their taxes and corrected their problems.
7. **Wine Festival/Farmers Market** – Kevin Atticks and Jade Oster the Maryland Winery Association met with the Board to discuss the Wine Festival and Farmers Market. They want their vendors to be able to serve wine tastings and sell wine in a sealed bottle without a barrier. They have had one day festivals in two other areas of the state and did not have any problems. They encourage people to come in and sample or purchase and leave. Everyone will be checked for ID and given wristbands. The tickets are \$15 for sampling. The Board approved this request on a trial basis providing the Inspector approves everything, but if anything goes wrong will never approve this request again.
8. Decision Required: Violation Hearing

RE: Raymond Brown, Dawna
Keyser & Max Keyser
for the use of Brown's
Discount Liquors, Inc.
t/a Brown's Discount Liquors
908 E. Patrick Street
Frederick, Maryland 21701
Class A, Off Sale, Beer, Wine & Liquor
License Number 11AL 1053
FCLB Case Number: 4805

The Board held a violation hearing on a charge that on December 29, 2010, either directly or through an employee of the licensee allegedly sold alcoholic beverages to a minor, Kyle Carter. Mr. McCain swore in the licensees and potential witnesses. (See attached Sign In Sheet). Mr. Winters, Attorney, stated the licensees did not intend to contest the charges. Mr. Brown, licensee stated his policy for ID carding is that if they look younger than him then they need to be carded. This has been the policy for over 10 years and they discuss this procedure daily. They had just had a meeting to discuss this procedure of carding and directly after the meeting the employee failed to ID a patron.

MOTION ONE: Mr. Snyder made a motion for a fine of \$1,000 and a 30 day suspension of the license if the violation occurs again within a year.

SECOND: Mr. Cline seconded the motion.

VOTE: Mr. Snyder – Aye
Mr. Cline – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

9. Decision Required: Violation Hearing

RE: Gary Zorechak & Barbara
Zorechak
for the use of Frederick Wine
House, LLC t/a Frederick
Wine House
405 W. 7th Street
Frederick, Maryland 21701
Class A, Off Sale, Beer & Light Wine
License Number 11AW 2144 SUWT
FCLB Case Number: 4810

The Board held a violation hearing on a charge that on December 29, 2010 either directly or through an employee, the licensee allegedly sold alcoholic beverages to a minor, Kyle Carter. Mr. McCain swore in the licensees and potential witnesses. (See attached Sign In Sheet). The licensees pled guilty and stated that they had made some changes for identifying underage patrons and that he had been distracted and it was a very busy night and he had recently been robbed at gunpoint.

MOTION ONE: Mr. Cline made a motion for a fine of \$500 and a 30 day suspension of the license if the violation occurs again.

SECOND: Mr. Snyder seconded the motion.

VOTE: Mr. Cline – Aye
Mr. Snyder – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**

(Motion Passed)

10. Decision Required: Transfer/Relocation

TRANSFER/RELOCATION: RE: Gary Joseph Zorechak and
Barbara V. Zorechak for the
use of Frederick Wine House
LLC
t/a Frederick Wine House
405 W 7th Street
Frederick, MD 21701
Class A, Off Sale, Beer and Light Wine
Sunday Permit & Wine/Beer Tasting

TRANSFER TO: RE: Gary Joseph Zorechak and
Barbara V. Zorechak for the
use of Frederick Wine House
LLC
t/a Frederick Wine House
7820 Wormans Mill Rd., St L
Frederick, MD 21701
Class A, Off Sale, Beer and Light Wine
Sunday Permit & Wine/Beer Tasting

The Board held a hearing for a transfer of the location of the license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). The pending items are: Final Lease, Workers Comp, Retail Sales Tax License, manager's phone number, Zoning, final Occupancy Permit and final Fire Marshal inspection and the Liquor Inspector.

MOTION ONE: Mr. Snyder made a motion for a conditional approval until June 13, 2011.

SECOND: Mr. Cline seconded the motion.

VOTE: Mr. Snyder – Aye
Mr. Cline – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

11. Decision Required: Approval of the Public Meeting Minutes for March 21, 2011, March 30, 2011 and April 4, 2011.

The Public Meeting Minutes of March 21, 2011, March 30, 2011 and April 4, 2011 were approved.

MOTION: Mr. Snyder made a motion to approve the minutes for March 21, 2011, March 30, 2011 and April 4, 2011.

SECOND: Mr. Cline seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Snyder – Aye
Mr. Cline-Aye
Mr. McClellan-Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

ADJOURN

The meeting was adjourned at 9:06 am.

Respectfully submitted,

Kathy Vahle, Administrator
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees